

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

| | | |
|----------------------|---|--------------------------------|
| JERMAINE NEUFVILLE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:19-cv-01159-CLM-JHE |
| |) | |
| DHS/ICE and JONATHON |) | |
| HORTON, |) | |
| |) | |
| Defendants. |) | |


MEMORANDUM OPINION

The magistrate judge filed a report on November 18, 2019, recommending this action be dismissed without prejudice for lack of prosecution. (Doc. 12). Although the magistrate judge advised the plaintiff of his right to file specific written objections within fourteen (14) days, no objections or other response has been received by the court. In fact, the United States Postal Service returned the plaintiff’s copy of the report and recommendation as undeliverable. (Doc. 13). Handwritten on the returned envelope is the notation, “Released 11/02/09.” (*Id.*). The plaintiff has not provided the court with his current address, even though a provision of his signed complaint reads: “I agree to provide the Clerk’s Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk’s Office may result in the dismissal of my case.” (Doc. 2 at 11).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Therefore, in accordance with 28 U.S.C. § 1915A(b), this action is due to be dismissed without prejudice for lack of prosecution. The plaintiff's motion for temporary restraining order (doc. 4) is due to be deemed **MOOT**.

A Final Order will be entered.

DONE and **ORDERED** this 20th day of December 2019.



COREY L. MAZE
UNITED STATES DISTRICT JUDGE